

REMARKS

Claims 7-10 have been canceled. Claims 1, 2 and 24-26 and new Claims 27-30 are pending in the present application. Reconsideration is respectfully requested.

The present invention relates to a sheet for the covering of the skin or hair and provides for the delivery of medicinal agents to the skin or hair.

Claim Rejection, 35 USC 112, First Paragraph

The rejection of Claims 1, 2 7-10 and 24-16 on the basis that there is no support for the term "organic UV absorber" is clearly without merit, because the specification at page 6, line 2 clearly uses the term "UV absorber" and on page 7, lines 16-22 describes types of organic and inorganic UV absorbers, UV screening agent and UV protection agents. Types or classes of organic UV light absorbers that are mentioned are benzophenone compounds, p-aminobenzoic acid compounds, methoxycinnamic acid compounds and salicylic acid compounds. In view of these disclosure there is clear support for the term "organic UV absorber" and as such the use of the term in Claim 1 does not introduce new matter into the claims. Withdrawal of the rejection is respectfully requested.

Claim Rejection, 35 USC 112, Second Paragraph

The Examiner singles out five different types or classes of materials that are named by function in each of Claims 1 and 24 as being indefinite in because of overlap of functions. However, applicants maintain that each of the five types of materials mentioned in the two claims is definite and distinct in its meaning. For instance, note that the terms "cooling agent" and "warming agent" are, in effect, employed in the newly cited document JP '809 at

paragraphs [0041] to [0044] as “cold sense agent” and “sense of heat agent,” respectively. Thus, these two terms are art recognized terms of definite meaning, and are not indefinite.

As to the matter of the terms which define aspects of treatment of the hair, certainly a hair removing agent does not have the same function as a hair growth stimulating agent and a hair growing agent. Moreover, compositions for the treatment of the hair are known and available that contain agents which stimulate hair growth and which nourish the hair. Accordingly, the terms that are employed are distinct and known in the art. Withdrawal of the indefiniteness rejection is respectfully requested.

Regarding the matter of Claims 7-10, applicants have rewritten Claim 7 as new independent Claim 27, while Claims 8-10 have been rewritten as new dependent Claims 28-30. Entry of the new claims into the record is respectfully requested.

Invention

The claimed invention is a sheet for covering the skin or hair that in one embodiment as claimed contains a thermoplastic resin, a medical ingredient, and an oily ingredient all present in a single-layered structure. The thermoplastic resin, a medical ingredient, and an oily ingredient are all defined in Claim 1. An outstanding feature of the present sheet as claimed in Claim 1 is that it has a modulus of from 1 to 2000 cN/10 mm when the sheet is stretched by 50 %. Moreover, the sheet product of the invention when applied to a portion of the human body does not adhere to stick to the body because of a innate tackiness of the product.

In another embodiment of the invention as claimed in new Claim 24, the sheet product of the invention is claimed in terms of the manner in which it is made. As in the case of Claim 1, the sheet product has a modulus ranging from 1 to 2000 cN/10 mm when the sheet is

stretched by 50 % and is such that it conforms to the skin or hair when applied to the skin or hair.

Prior Art Rejection, 35 USC 103

Claims 1, 2 and 24-26 stand rejected based on 35 USC 103(a) as obvious over JP-09-216809. This ground of rejection is respectfully traversed.

The '809 is relevant to the present invention insofar as it discloses a sheet material that is impregnated with one or more skin treating agents and also oils such as essential oils. The product of the reference is applied to the skin in order to effect treatment of the skin. However, the product of the reference is not that of the present invention in a very fundamental way in that the sheet material of the reference, as stated in paragraphs [0015] to [0019], for instance, is a water-soluble nonwoven fabric or a textile fabric that is formed from the polymeric materials set forth in paragraph [0016]. On the other hand, the thermoplastic resin component (A) of the present claimed sheet is not water soluble. None of the thermoplastic polymeric materials that define resin component (A) of the present invention are water soluble. Despite the fact that the vinylon material mentioned in paragraph [0016] of the reference is a thermoplastic material, nevertheless, it is water soluble. As such, the sheet product of the reference can be applied to wet skin and then, when removal of the applied material from the skin is desired, it can be easily flushed from the skin with water (see paragraph [0011]). This feature stands in contradistinction to the claimed sheet of the present invention in that after having been applied to the skin to effect treatment thereof, it is removed by being peeled from the skin. The product of the present invention is not removed from the skin by flushing with

water. Clearly, the '809 reference does not obviate the invention as claimed and withdrawal of the rejection is respectfully requested.

Claims 1, 2 and 24-26 stand rejected based on 35 USC 103(a) as obvious over JP-05-188527. This ground of rejection is respectfully traversed.

An argument similar to that set forth above in the discussion of the '809 reference can be applied against the '527 reference, because this reference also discloses a sheet material impregnated with the likes of cosmetic agents and quasi drug materials. Just as in the case of the '809 reference, the '527 reference discloses that a water soluble polymer material is used to form the sheet material of the reference. However, the sheet material of the reference, as disclosed in paragraph [0005] on page 2 of the document, specifically is formulated of a water-soluble polymer which is gelatin or a polyacrylate (page 2, line 25), a polyhydric alcohol, a moisturizing agent, a cross-linking agent, lustrous skin component and water. In fact, the reference at page 2, lines 9-10 states that the combination of the water soluble polymer and the polyhydric alcohol is "indispensable."

It is also clear that the invention described in the reference is fundamentally different from the present invention in that the reference requires the use of a cross-linking component, which, as described in paragraph [0009], is a combination of a poorly water-soluble aluminum compound and a polyfunctional epoxy compound. No such cross-linking agent or anything like it is employed in the sheet product of the present invention. Accordingly, the present invention as claimed is not obvious over the '527 disclosure. Withdrawal of the rejection is respectfully requested.

Claims 7-10 (new Claims 28-30) stand rejected based on 35 USC 103(a) as obvious over JP-09-216809 or JP-05-188527 in view of U. S. Patent 6,022,550. This ground of rejection is respectfully traversed.

The extent of the relevancy of the two JP references has been discussed above, and it has been shown that the two references do not show or suggest a sheet product like that of the present invention. Both references teach sheet products that are based on a water-soluble polymeric component. On the other hand, the polymeric thermoplastic resin component (A) of the present sheet material is not water soluble and indeed is limited to a defined group of polymers not taught by either primary reference.

The '550 patent is in no way germane to the present invention and the two JP references that have been cited, because it discloses a crosslinkable polymer composition that is used to form molded articles. As such, a non-crystalline polymer (A) such as a styrene-based resin, an acrylic acid-based resin, a vinyl-based resin or the like is combined with a cross-linkable monomer (B) such as various di(meth)acrylates, and the resulting combination can then be treated with high energy radiation to effect cross-linking of the resin materials. Clearly, the disclosure of cross-linked polymer material in the reference, which is suitable for the formation of molded objects is of a type of material that is fundamentally different from the thermoplastic resin materials used in the present invention which form a sheet material for application to the human skin. As molded objects, the cross-linked polymer material of the reference must possess physical and chemical properties that are distinct from a thermoplastic material that, in the form of a sheet, is applied to the skin. Accordingly, the '550 patent does not improve upon the deficiencies of the two JP references and withdrawal of the rejection is respectfully requested.

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It is believed that the application is in proper condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

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